

## Message Text

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ORIGIN AF-06

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-07 L-02

NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

USIA-06 EB-07 COME-00 TRSE-00 CIEP-01 OMB-01 OPIC-03

XMB-02 AID-05 /070 R

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L/AF:CSCHMITZ (INFO)

----- 119012

R 312114Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY KINSHASA

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E.O. 11652: N/A

TAGS: EIND, CG

SUBJECT: CONGRESSIONAL ENQUIRIES ABOUT KALICAK CONSTRUCTION COMPANY.

1. ATTORNEYS FOR HAROLD KALICAK HAVE WRITTEN TO A NUMBER OF MEMBERS OF CONGRESS REPORTING ON THE STATUS OF KALICAK'S CONSTRUCTION BUSINESS IN ZAIRE AND REQUESTING CONGRESSIONAL ASSISTANCE. DEPT HAS RECEIVED WRITTEN ENQUIRIES FROM SENATORS EAGLETON AND SYMINGTON AND TELEPHONE ENQUIRY FROM OFFICE OF REPRESENTATIVE SYMINGTON. PARA 2 BELOW IS TEXT OF 1/14 LETTER FROM KALICAK'S ATTORNEYS. PARA 3 IS TEXT OF DEPT REPLY TO SENATORS SYMINGTON AND EAGLETON.

2. ,DEAR SENATOR EAGLETON: I AM WRITING ON BEHALF OF MY LIMITED OFFICIAL USE

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CLIENT HAROLD KALICAK WHO IS A ST. LOUISAN OPERATING A

CONSTRUCTION BUSINESS IN KINSHASA, ZAIRE, UNDER A CORPORATION KNOWN AS 'KALICAK INTERNATIONAL ZAIRE.'

,I HAVE RECEIVED THE FOLLOWING MESSAGE FROM HIM: 'WE HAVE BEEN TOTALLY NATIONALIZED INCLUDING FROZEN BANK ACCOUNTS. PLEASE CONTACT SENATOR EAGLETON, SENATOR SYMINGTON, REPRESENTATIVES SYMINGTON AND SULLIVAN AND ASK THEM TO NOTIFY THE STATE DEPARTMENT AND AMBASSADOR HINTON OF MY

RIGHTS UNDER THE LAW WITH REFERENCE TO THE HICKENLOOPER AMENDMENT.'

"WOULD YOU KINDLY CONTACT MY OFFICE AT YOUR EARLIEST CONVENIENCE TO ADVISE WHAT ASSISTANCE, IF ANY, YOU CAN GIVE IN THIS MATTER. YOURS TRULY, SIGNED NORMAN A. SELNER

3. "DEAR SENATOR EAGLETON/SYMINGTON:

'THANK YOU FOR YOUR LETTER OF JAN. 14 RELAYING A REPORT FROM ATTORNEYS FOR YOUR CONSTITUENT HAROLD KALICAK THAT MR. KALICAK'S CONSTRUCTION BUSINESS IN ZAIRE HAS BEEN NATIONALIZED.

"NATIONALIZATION OF THE CONSTRUCTION INDUSTRY IN ZAIRE WAS FIRST ANNOUNCED IN DECEMBER 1973 BUT WAS NOT CARRIED OUT. ON DECEMBER 30, 1974 THE GOVERNMENT AGAIN DECLARED ITS INTENTION TO TAKE CONTROL OF THE INDUSTRY. OWNERS WERE TOLD THAT THEY WOULD REMAIN RESPONSIBLE FOR THE CONDUCT OF THEIR BUSINESSES UNTIL FURTHER NOTICE BUT THAT THEIR BANK ACCOUNTS WOULD BE FROZEN. SUBSEQUENTLY, A SYSTEM OF APPROVAL FOR BANK TRANSACTIONS WAS INSTITUTED TO PERMIT CONSTRUCTION COMPANIES TO CARRY ON THEIR WORK.

"REPRESENTATIVES OF OUR EMBASSY HAVE KEPT IN CLOSE CONTACT WITH MR. KALICAK SINCE THE GOVERNMENT'S DECEMBER 30 ANNOUNCEMENT. AMBASSADOR HINTON HAS ALREADY TOLD THE GOVERNMENT OF OUR INTEREST AND CONCERN AND HAS REPORTED TO US THAT HE WILL ENDEAVOR TO SHIELD MR. KALICAK FROM NATIONALIZATION OR, FAILING THAT, TO ASSIST HIM IN OBTAINING COMPENSATION FOR ANY ASSETS EXPROPRIATED.

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"FOR THE MOMENT, HOWEVER, IT IS STILL UNCLEAR WHAT SPECIFIC PLANS THE GOVERNMENT OF ZAIRE HAS FOR THE CONSTRUCTION INDUSTRY OR WHEN IT INTENDS TO CARRY THEM OUT. WHEN MR. KALICAK VISITED THE EMBASSY ON JANUARY 17, HE REPORTED THAT HE WAS CARRYING ON BUSINESS AS USUAL, THAT HE WAS HAVING NO DIFFICULTY GETTING APPROVAL FOR BANK TRANSACTIONS, AND THAT HE HAD BEEN AWARDED A

SUBSTANTIAL NEW CONTRACT BY THE GOVERNMENT AND WAS BEING  
URGED TO UNDERTAKE OTHER PROJECTS AS WELL.

"OUR EMBASSY WILL CONTINUE TO WATCH DEVELOPMENTS CLOSELY  
AND WILL TAKE APPROPRIATE MEASURES TO ASSIST MR. KALICAK  
SHOULD HIS INTERESTS BE THREATENED.

"I HOPE YOU WILL CALL ON ME IF YOU BELIEVE WE CAN BE OF  
FURTHER ASSISTANCE. CORDIALLY, LINWOOD HOLTON, ASSISTANT  
SECRETARY FOR CONGRESSIONAL RELATIONS." KISSINGER

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